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March 25, 2008

Via ELECTRONIC FILING

Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: STB Ex Parte No. 677 – Common Carrier Obligation of Railroads

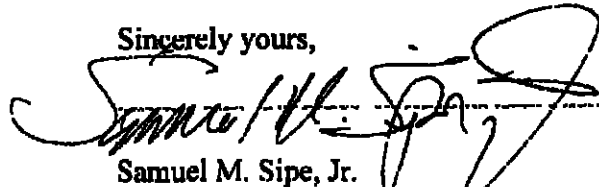
NOTICE OF INTENT TO PARTICIPATE

Dear Secretary Quinlan:

Pursuant to the Notice served by the Board on February 22, 2008 in the above-referenced proceeding, this is to inform the Board that Richard E. Weicher, Vice President and Senior Regulatory Counsel for BNSF Railway Company intends to participate in the public hearing scheduled by the Board for April 24, 2008 in Washington, DC. Mr. Weicher plans to address various issues raised in the STB's order, focusing on the nature of the common carrier obligation when capacity is constrained, the need for flexibility in approaches to allocating capacity that maximize utilization of resources, the propriety of railroads' promoting shipper infrastructure investments, the importance of pricing flexibility for common carriers, as well as the scope of the common carrier obligation in various contexts. Mr. Weicher requests that he be allotted 10 minutes to address the Board.

Please address any questions concerning this Notice of Intent to Participate to the undersigned.

Sincerely yours,



Samuel M. Sipe, Jr.
Counsel for BNSF Railway Company

cc: Richard E. Weicher, Esq.